

ZONING BOARD OF APPEALS

Fiscal Year 2012

The Amherst Zoning Board of Appeals (ZBA) received 31 applications during Fiscal Year 2012, six (6) of which were withdrawn.

The Zoning Board of Appeals met 29 times during FY 12, including four (4) Administrative Meetings. The number of applications during Fiscal Year 2012 represents a continued increase in activity over the previous fiscal year. The following chart shows the number of applications submitted for the Fiscal Years of 2005 to 2011:

Fiscal Year	Number of Applications
2005	41
2006	52
2007	43
2008	37
2009	42
2010	14
2011	25
2012	31

During this fiscal year, three (3) decisions of the Zoning Board of Appeals were appealed:

- 321 Lincoln Avenue – The ZBA denied a request to remove an owner occupancy condition. The appeal still pending.
- 38 Nutting Avenue – The ZBA upheld a determination of the Building Commissioner regarding a change in use from a sorority to a fraternity. The appeal is pending.
- 30 Boltwood Avenue – The ZBA denied an application for the creation of a new restaurant which would have included construction of a new structure on Boltwood Avenue. That decision was contested as a constructive grant of the permit and a decision of the court is pending.

The Zoning Board of Appeals approved five (5) requests to convert existing single family dwellings into two (2) units, one (1) request to construct a new two family dwelling, and two (2) requests to create supplemental apartments - for a total of nine (9) new dwelling units:

- 235 Pine Street, supplemental apartment
- 156 Sunset Avenue, two family dwelling
- 539 Pulpit Hill Road, two family dwelling
- 31 Spring Street, converted dwelling
- 685 West Street, two family dwelling
- 28 Shays Street, two family dwelling

- West Street and Potwine Lane, two family dwelling
- 32 Moorland Street, supplemental apartment

The Zoning Board of Appeals approved eight (8) requests for creation or expansion of the following businesses:

- 222 Belchertown Road – to operate a home occupation (home improvement contractor)
- 319-321 Main Street – to create of a dog washing business
- 41 Boltwood Walk – to create outdoor dining associated with Lit Restaurant
- 96-110 North Pleasant Street – to extend the delivery hours to 3:00 a.m. for D.P. Dough
- 30 Boltwood Walk – to create a new restaurant, d/b/a Fratelli's Restaurant
- 485 West Street – to expand the restaurant, d/b/a Mission Cantina
- 660 West Street – to create a new veterinary office, d/b/a South Amherst Veterinary
- 534 Main Street – to relocate an existing business, d/b/a The Clawfoot Tub

Public Meetings

The Board held four (4) Administrative Meetings during FY 12 for the purposes of reviewing procedures, conditions, and process oriented items. One of the meetings included the Planning Director and chair of the Zoning Subcommittee to review proposed revisions to the Zoning By-law.

The following is a list of the membership in FY 12:

Full Members	Year Appointed	Term Expires
Barbara Ford (Chair)	2003	2012
Hilda Greenbaum	2005	2013
Eric Beal	2005	2014
Associate Members	Year Appointed	Term Expires
Thomas Ehrgood	2008, 2009, 2010, 2011	2012
Mark Parent	2009, 2010, 2011	2012
Keith Langsdale	2009, 2010, 2011	2012
Carolyn Holstein	2010, 2011	2012

Jeffrey Bagg, Senior Planner, provided staff support to the Zoning Board of Appeals during FY 12. Town staff continued to enhance the available online resources, integrating electronic transmittals, and providing the Board members with additional trainings.

The following is a link to the Zoning Board of Appeals webpage: <http://www.amherstma.gov/index.aspx?nid=235>